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4 **E-FILED on 3/17/06**
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
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12 FAMILY MORTGAGE CORPORATION
13 NO. 15,

14 Plaintiff,

15 v.

16 PERRY L. GREINER,

17 Defendant.

18 No. C-05-01380 RMW

19 ORDER APPROVING SUBSTITUTION OF
20 ATTORNEYS; GRANTING APPLICATION
21 TO CONTINUE HEARING DATE

22 [Re Docket Nos. 110, 111]

23
24 Defendant Perry Greiner applies *ex parte* for approval of his change of counsel and, due to
25 this change, additional time to respond to the plaintiff's motion for entry of judgment. Plaintiff does
26 not oppose Greiner's request, but does (1) point out that under Civil L.R. 11-5(a), Greiner's former
attorney required court permission to withdraw from this ongoing action, and (2) request that the
court grant no further continuances of the hearing date on the pending motion.

27 The court will grant Greiner's requests to approve his change of counsel and to continue the
28 hearing date. The court will not prohibit future requests to again continue the hearing, but the court
is unlikely to grant any, either. As the court is not available on the date Greiner requests, April 21,

ORDER APPROVING SUBSTITUTION OF ATTORNEYS; GRANTING APPLICATION TO CONTINUE HEARING DATE—No.
C-05-01380 RMW
JAH

1 2006, plaintiff's motion will be heard on April 28, 2006. Greiner's opposition to the motion and
2 plaintiff's reply will be due on March 31 and April 7, respectively.

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5 DATED: 3/17/06

/s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

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1 **Notice of this document has been electronically sent to:**

2 **Counsel for Plaintiff:**

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8 Counsel are responsible for distributing copies of this document to co-counsel that have not
9 registered for e-filing under the court's CM/ECF program.

10 **This document was also mailed to defendant (*pro se*):**

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21 **Dated:** 3/17/06 /s/ JH
22 **Chambers of Judge Whyte**

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